

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

|  |   |                            |
|--|---|----------------------------|
| Michael Hitter,                                  | ) | C.A. No. 2:07-0896-TLW-RSC |
|  | ) |                            |
| Plaintiff,                                       | ) |                            |
|  | ) |                            |
| -versus-   | ) | ORDER                      |
|  | ) |                            |
| Sumter County Courthouse Holding Area            | ) |                            |
| for Court et al., in their official capacity and | ) |                            |
| unidentified capacity,                           | ) |                            |
|  | ) |                            |
| Defendants.                                      | ) |                            |
|  | ) |                            |

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This matter is now before the undersigned for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Robert S. Carr, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). In his Report, Magistrate Judge Carr recommends that this action be dismissed for failure to prosecute (pursuant to Rule 41(b) of the Federal Rules of Civil Procedure) and for failure to respond to the Order of this Court (pursuant to Rule 25(a) of the Federal Rules of Civil Procedure). The plaintiff has filed no objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge’s Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. No objections have been filed to the Report. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4<sup>th</sup> Cir. 1983).

A review of the record indicates that the Report accurately summarizes this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 37), and this action is dismissed for failure to prosecute (pursuant to Rule 41(b) of the Federal Rules of Civil Procedure) and for failure to respond to the Order of this Court (pursuant to Rule 25(a) of the Federal Rules of Civil Procedure).

**IT IS SO ORDERED.**

s/ Terry L. Wooten

**TERRY L. WOOTEN  
UNITED STATES DISTRICT JUDGE**

November 12, 2008  
Florence, South Carolina